



**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3743**

S/N 09/851,803

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Richard Donald Berg	Examiner:	Josiah C. Cocks
Serial No.:	09/851,803	Group Art Unit:	3743
Filed:	May 9, 2001	Docket No.:	12929.1061US01
Customer No.:	23552	Confirmation No.:	3572
Title:	Simulated Electric Glowing Embers System for Fireplaces		

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 407363235 US  
Date of Deposit: January 20, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Teresa Anderson

**RESPONSE UNDER 37 C.F.R. § 1.116**

**Mail Stop AF**  
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TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Office Action mailed September 22, 2003, please consider and enter the following remarks. Claims 1-27 remain pending in the application.

Remarks begin at page 2 of this paper.